

# Notice of Allowability

Application No.

09/902,359

Applicant(s)

KRANZLEY ET AL.

Examiner

Daniel L. Greene

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/28/2005.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 12/11/2001
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**  
***Allowable Subject Matter***

As per claims 1 and 4, the closest prior art of record Linehan-US 6,327,578, and Schenkler-US 6,078,902 taken either individually or in combination with other prior art of record fails to teach or suggest in accordance with the present invention, when an appropriate transaction message is received by a payment gateway, instead of requesting an authorization of the transaction through the payment network, the payment gateway, after authentication, sends an authorization response back to the message originator to enable the message originator to use its existing payment system protocol for actual authorization.

More specifically, a method is provided for conducting a transaction over a communications network between parties to the transaction including a consumer with a payment account number (PAN) (the number being issued by an issuer) and a merchant computer, involving a payment system including a merchant's acquirer computer and an issuer computer associated with the issuer. The payment system is typically accessible through a payment gateway. The method comprises, generating a first message authorization request and forwarding the request to the payment gateway, authenticating the parties by the gateway and returning to the merchant's computer an automatic authorization approval without first obtaining authorization from the issuer. The normal/standard procedure is during the authentication stage, the gateway also obtains approval from the issuer's financial institution. However, the Applicant is

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providing SET (Secure Electronic Transaction) protocol for obtaining the PAN of the consumer and using the merchant's existing payment system protocol for actual payment authorization.

Then, based upon the authentication and the automatic authorization approval, generating a second authorization request for authorizing the transaction using the PAN, forwarding the request not to the payment gateway but to the merchant's acquirer which either authorizes or declines the second request at least based on the PAN and the amount of the transaction.

The specific allowable feature, which distinguishes the present invention over the prior art, is returning to the merchant's computer an automatic authorization approval without first obtaining authorization from the issuer.

Claims 2,3 and 5 are dependent upon Claims 1 and 4 respectively and thus have all the limitations of claims 1 and 4 and are allowable for that reason.

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Keathley et al. US 6,247,129 B1 SECURE ELECTRONIC COMMERCE EMPLOYING INTEGRATED CIRCUIT CARDS. Ties together the use of SET protocol and consumer's PAN.
2. Gupta et al. US 6,229,752 B1 METHOD AND APPARATUS FOR AUTHENTICATING USERS. Provides for the authentication of users prior to conducting a transaction.

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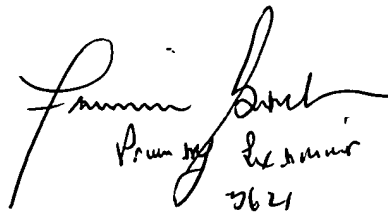
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 571-272-6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel L. Greene  
Examiner  
Art Unit 3621

9/13/2005



Handwritten signature of Daniel L. Greene, Examiner, Art Unit 3621.